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Attorneys for Defendants Wyeth Pharmaceuticals,
a Division of Wyeth, Walter Wardrop, and
Michael McDermott

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC., WALTER
WARDROP, ANDREW SCHASCHL, and
MICHAEL McDERMOTT,

Defendants.

05-CV-8106 (WCC) (LMS)

**REPLY DECLARATION OF
JAMES H. MCQUADE IN FURTHER
SUPPORT OF DEFENDANTS'
MOTIONS IN LIMINE NOS. 1
THROUGH 5**

I, James H. McQuade, declare:

1. I am an attorney admitted to practice before this Court and am employed by Orrick, Herrington & Sutcliffe LLP, counsel for Defendants Wyeth Pharmaceuticals, a Division of Wyeth, Walter Wardrop, and Michael McDermott (together, "Defendants") in the above-entitled action. I submit this Reply Declaration in Further Support of Defendants' Motions in Limine Nos. 1 through 5.

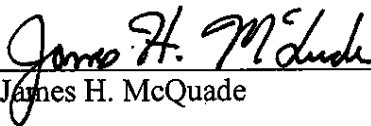
2. On or about July 30, 2007, the parties filed a Joint Pretrial Order, in which Plaintiff identified 73 potential trial witnesses. By letter dated December 14, 2007, Plaintiff reduced the number of witnesses on this list to 39, including Daisy Early and Newton Paul.

3. On or about January 12, 2007, Daisy Early and Newton Paul filed separate complaints with the Rockland County Clerk's Office of the Supreme Court of the State of New York, which are attached hereto as Exhibits 1 and 2, respectively. Each of these Complaints alleges, among other things, discrimination against Wyeth, and both cases were removed to this Court and are pending with this Court.

4. On or about February 10, 2006, this Court issued a Civil Case Management Plan and Order, attached hereto as Exhibit 3, providing that amended pleadings were to be filed by February 10, 2006 and that discovery in this action was to be concluded by August 10, 2006. There has been no extension of either deadline.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 22, 2008 at New York, New York.



James H. McQuade